

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**Case No. 06-CR-223**

**TIMOTHY MILTON, et. al.,**

**Defendants.**

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**ORDER**

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On August 7, 2007, the grand jury returned a superseding indictment that added four defendants to this case. A final pretrial conference is currently scheduled for September 21, 2007 and a jury trial is scheduled to commence on October 9, 2007 before the Honorable Charles N. Clevert, Jr.

On August 22, 2007, defendant Leonard T. McCoy filed a motion seeking to adjourn the trial date or to sever defendants. In this motion, counsel for McCoy states that the three other recently indicted defendants join in his request. Defendant Ryan Hinkle filed his own motion seeking an adjournment or severance, and counsel for Gaddis Price has filed a letter stating that he joins with McCoy's request.

The court finds that an expedited briefing schedule is necessary to ensure the timely resolution of these motions to adjourn the trial date or to sever defendants. The court also recognizes that the non-moving, or original defendants, may have a position they wish to express regarding the request to adjourn the date for trial.

Therefore, the court sets the following briefing schedule regarding the defendants' motion to sever or adjourn the trial:

The government, or any of the non-moving defendants, shall respond to the defendants' motions to adjourn the trial or to sever defendants no later than **August 31, 2007**.

The moving defendants shall file any reply no later than **September 5, 2007**.

**SO ORDERED.**

Dated at Milwaukee, Wisconsin this 23rd day of August, 2007.

s/AARON E. GOODSTEIN  
U.S. Magistrate Judge